

UNITED STATES DISTRICT COURT  
DISTRICT OF VERMONT

U.S. DISTRICT COURT  
DISTRICT OF VERMONT  
FILED

2015 SEP 22 PM 4:14

CLERK

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U.S. BANK NATIONAL ASSOCIATION,  
AS TRUSTEE FOR J.P. MORGAN  
MORTGAGE ACQUISITION TRUST 2006-  
NC1, ASSET BACKED PASS-THROUGH  
CERTIFICATES, SERIES 2006-NC1

Plaintiff,

v.

Civil Action No. 5:15-CV-90

VERMONT MUTUAL INSURANCE  
COMPANY,  
CRAIG A. GEARY,  
ORESTES G. BROWN, ESQ.,  
METAXAS BROWN PIDGEON, LLP,  
ROBERT H. KIDNEY  
And  
THOMAS P. GUNN

Defendants.

**STIPULATION FOR ENTRY OF JUDGMENT ON  
VERMONT MUTUAL'S INTERPLEADER ACTION**

The Parties to the above-captioned action, by and through their respective counsel, hereby stipulate and agree as follows:

1. Judgment is hereby granted to Vermont Mutual Insurance Company ("Vermont Mutual") on Prayers A, C & D of its Counterclaim and Cross-Claim in Interpleader. Specifically, the insurance proceeds of \$233,436.71 in dispute shall be accepted into the Registry of this Court without need for Motion pursuant to Fed. R. Civ. P. Rules 22 and 67(a) and held in an interest-bearing account for future disbursement according to the judgment of this Court; upon the Court's receipt of the insurance proceeds, Vermont Mutual Insurance Company shall be discharged from any further obligation to defend this action, discharged from any and all further liability with

respect to the foregoing insurance proceeds pursuant to 28 U.S.C. § 2361; and all other parties to this action shall be enjoined and restrained pursuant to 28 U.S.C. § 2361 from instituting or prosecuting any proceeding in any State or United States Court against Vermont Mutual affecting the insurance proceeds of \$233,436.71, including but not limited to contesting Vermont Mutual's request that said insurance proceeds be paid into the Registry of this Court and held in an interest bearing account for future disbursement according to judgment of this Court.

2. All parties agree that all claims that they have asserted or ever could have asserted against Vermont Mutual or in connection with Vermont Mutual's Counterclaim and Cross-Claim in Interpleader are dismissed with prejudice.

3. All parties shall bear their own costs and fees in connection with claims against or by Vermont Mutual and shall not be responsible to any other party for any such costs or fees incurred in this proceeding.

Respectfully submitted,

U.S. BANK NATIONAL ASSOCIATION,  
As Trustee for J.P. Morgan Mortgage Acquisition  
Trust 2006-NC1, Asset Back Pass-Through  
Certificates, Series 2006-NC1

By its attorneys,

PRETI, FLAHERTY, BELIVEAU &  
PACHIOS, LLP

Dated: September 22, 2015

/s/ Peter G. Callaghan

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THOMAS GUNN and ROBERT KIDNEY

By their attorney,

Dated: September 22, 2015

/s/ Richard Windish  
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ORESTES G. BROWN, ESQ. and METAXAS  
BROWN PIDGEON, LLP

By their attorneys,

Dated: September 22, 2015

/s/ Christopher J. Larson  
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Dated: September 22, 2015

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VERMONT MUTUAL INSURANCE COMPANY

By its attorneys,

PRIMMER PIPER EGGLESTON & CRAMER PC

Dated: September 22, 2015

/s/ Gregory Clayton

Gregory Clayton

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SO ORDERED.

A handwritten signature in black ink, appearing to read 'Geoffrey W. Crawford', is written above a horizontal line.

Geoffrey W. Crawford, U.S. District Judge

Dated: 22 September 2015